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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Cyrus Hazari

Plaintiff

vs.

Superior Court of Santa Clara County State
of California, et al. and DOES 1-100

Defendants

Case number 21-cv-04262-JSW

OBJECTION IN RESPONSE TO ORDER
TO SHOW CAUSE

Violation of the ADA and failure of disability accommodation

Under extreme circumstances, and with substantial limitations, I am forced to write to object to the order to show cause, with objection for this court's diminution of a matter of substantive law (disability accommodation), which it is holding subservient to a matter of procedure.

Substance trumps procedure, not the other way around.

It is injurious for me to have to write at this time, and this is well known to this court by reference to multiple previous motions for disability accommodation in this very court that invoke the United States law called the Americans with Disabilities Act ("ADA") and explain my need for complete rest and isolation from stress.

By elimination of my rest and continued exposure to stress, I am kept trapped in my substantial incapacity and my significant limitations, and can use only logic and grammar to repeat the same sermon that I have given for almost four years to multiple courts and judges. Unfortunately and distressingly, the result is verbosity of gigantic proportions that CANNOT BE AVOIDED.

Under Title II of this law (ADA) that is over 20 years old and should be well known to the court, it is a requirement for every court to provide disability accommodation to me, a qualifying protected party, according to my unique needs.

As the record in this court dating to 2019 shows, this court makes no provisions to inform and no ready access to disability accommodation.

A shining light of our courts, Beth Freeman, judge, once informed of the limitations of this court in the matter of access to disability accommodations, read, understood and correctly applied the ADA. She has been an exception to the tyranny of disability hateful judges of California courts, and their relentless improprieties. EXHIBIT 7 and 8 are just 2 examples of their improprieties that are an inherent part of their character.

The key principle expounded by the ADA is accommodation unique to the needs of the disabled party. It is a matter of logic that the accommodation is required BEFORE participation.

My unique needs have been well described to the court. If I do not have complete rest and isolation from stress, not only will my serious illness and my disabilities worsen and increase, but I may die. EXHIBIT 1. This has been proven for over THREE YEARS.

My needs are so obvious and so unconscionably denied that my case is not only a matter of disobedience of law by the courts, but it is also a matter of the failure of human rights in addition to other rights.

Despite knowledge of my disabilities and my serious illness and unique needs well known to this court, I am given no choice by the deliberate manipulations of my adversaries Messner Reeves LLP and Mandy Brady et al in multiple courts, but to participate unequally in litigation without the necessary disability accommodation that I need and that the law commands every court to provide me.

I am continually, incessantly and deliberately coerced by the very courts that should first protect me and my rights before applying any rules of procedure, into unequal and injurious participation, depriving me entirely of due process and of my Constitutional rights and the very intent of our Articles of Independence.

It is the abuse and violation of the most disadvantaged by the courts that is the litmus for the propriety of courts and their ability to meet the expectations of the People.

Instead of complete rest which is specified for me by authoritative orders of highly qualified physicians of impeccable integrity, instead I am being toyed with by adversaries and courts, without regard to my disabilities and my serious illness and my unique needs and THE MORTAL DANGERS AND SUFFERING that is my daily experience.

And I am not the only one. Other disabled pro se litigants suffer as I do.

The injuries and mutilation of the disabled has knock on impact. My wife has succumbed to illness and has suffered with me.

So I continue under duress to write and write and write and write and write and write and write and write and write and write when I cannot and must not, in order to document the injustices being done to me, and to educate those who are far more learned and experienced in law about what is right and wrong, and how the conduct of courts is substantially unfaithful to our laws and undermines the trust of the People, who INCREASINGLY HATE OUR COURTS.

Because courts have failed to properly integrate the ADA (Title II) into the application of laws and entirely failed to account for the ADA (Title II) in the formation of rules of procedure and modification of established rules, I have to apply for accommodation through a peripheral, marginal, incidental, inferior process called an "administrative" motion. Ask a clerk of the court or a pro se advocate and they have no idea how to apply for accommodation, and this is what in the end comes out of the darkness and ignorance about disabilities. This is how a LAW of great importance and impact has been disregarded and belittled.

Treating ADA accommodation as purely an "administrative" matter ridicules and demeans a law whose intent is to address the enormous injustices that the disabled suffer in their exile from the realm of rights, and in the silence of their persecution despite A LAW passed to stop the very injustices that are inflicted upon them.

While there is no argument that ADA accommodation is a legal requirement that must be implemented, how courts implement it is to treat it as an administrative matter because no court that I am aware of has properly integrated the ADA into its legal (due process) procedures. Therefore, ADA accommodation is a legal process, but also status quo invokes an administration component. The determination of accommodation must comply with law, not some random whim of a judge. But how it is then integrated into the process of litigation is left to the court's administration. Thus ADA accommodation today is both a legal and an administrative process.

There is nothing "administrative" about my medical records disclosed in my request for disability accommodation. Not only are they implicitly protected by the ADA, which requires their confidential disclosure to the court in order to justify the accommodation sought, but these records are explicitly protected by law and privacy rights.

If judges and courts are not competent in dealing with confidential ADA accommodation requests based on objective and verifiable standards, then the ADA has been undermined. This law was not passed to encourage the status quo, but to eliminate it.

It is the failure of our system of jurisprudence to properly integrate the ADA that makes courts INCORRECTLY treat ADA accommodation entirely as an administrative matter, in order to accommodate the court that has no means of providing this accommodation otherwise.

This is a criminal state of affairs and our entire system of jurisprudence must be overhauled to properly integrate the ADA. This expression of the will of the People introduced numerous questions (EXHIBIT 28) at law and in equity.

The graveyard of injustice, which should always be empty, is dotted with evidence of the injustices inflicted on the disabled litigant. We disabled are the acceptable collateral damage of jurisprudence, despite a 20+ year old law that was passed to stop our molestation by courts. It must end now.

Let us not forget that the standard of justice is PERFECTION, and not one single instance of injustice can be tolerated. As a rule, an impeccable record of a judge is ruined by one case of injustice, and it should be so.

The fact that I am compelled to write anything, and to be ordered to participate when I cannot and must not, means that I have been deprived by this court of the very accommodation that is necessary and urgently essential for my unique needs, in violation of law.

And let us not forget the added urgency brought by the unique needs of my serious illness and my risk of death.

So why have I not been given the essential accommodation that I need as a disabled pro se litigant? Why did this court order a stay of six months and then promptly eliminate it?

Notwithstanding the above reasons, which evidence the disability hate crime of our courts, **there are 2 principal reasons why the order of this court to show cause is unjust and improper.**

THE FIRST REASON THAT THIS ORDER IS IMPROPER: MANIPULATION OF COURTS AND ABUSE OF PROCESS IS BEING INADVERTANTLY FACILITATED BY THIS COURT

There is an appearance that this court is being influenced by malicious defamation inflicted by the parties named (and does to be added) in this lawsuit.

My dishonest adversaries, Messner Reeves, in the name of a most dishonest adversary Mandy Brady (EXHIBIT 9), continue to interfere with my rights and my speech and opportunistically take advantage of my serious illness and my substantial incapacity to achieve and enjoy fruits of miscarriages of justice (EXHIBIT 10) that have been handed to them by hateful courts who despise the disabled pro se litigant.

My lawsuits have been conducted without my participation because elimination of all of my rights ensured that I cannot participate, much less participate equally.

The current leader of these criminal acts is Zela, a Messner Reeves attorney who has filed hundreds and hundreds of pages of frivolous and unmeritorious motions and declarations and character assassinations and malicious defamation since he took over from Wendt, the previous Messner Reeves attorney, whose ex parte communications and perjuries and unethical conduct are chronicled in the records of my lawsuits. EXHIBIT 11 is an example. Notice the similarity to Zela's fraud in this court.

Messner Reeves and its attorneys, in conjunctions with Terra Law and its attorneys, in the name of Mandy Brady et al whose criminal nature are well documented over the past 19 years (EXHIBIT 12,13 for example on the issue of fraud of Brady re sickness, and EXHIBIT 9 Request for Admissions) have committed these unethical and actionable acts this since 2018.

Relying on the prejudice and lawlessness of California courts, these criminal hatemongers are eager to ensure that their unjust enrichment (EXHIBIT 10) is made permanent, and that the attorneys who are as culpable as Mandy Brady et al, escape all liability and get to keep their payoff for assisting California courts and their unethical judges in committing their routine hate crimes against the disabled, in particular against me who will give no quarter to injustice and will not tolerate the tyrannical reign of unethical judges over the People.

Most importantly, these deceitful adversaries continue to work to ensure that I am injured to the point that I can never again speak or defend my rights against the villainy that they represent. They see no limits to disabling me even more than I already am and deliberately intend my death, as they cannot silence me despite causing me increasing permanent injuries and lifelong suffering, and oppressing me with the fruits of their malicious prosecution, such as vexation and financial interference.

Advised by their career defense expert witness (EXHIBIT 15), neurologist Peter Cassini M.D., they are well aware of the mechanism by which to induce permanent injuries to me, and do not hesitate to do so, under the torn veil of "advocacy".

In this court, WITHOUT EVER BEING SERVED. and in other courts, these individuals have instigated speech and improper actions) to keep me under distress and ensure that I continue to relentlessly suffer permanent injuries and to ensure that I do not get the accommodation that I need.

Outside of litigation privilege, they have interfered with my disability accommodation in unrelated cases.

Through malicious defamation and by falsely speaking for me when I could not speak, and by use of dishonesty and fraud, these adversaries portrayed me as the undesirable litigant. When I stood firm for my rights, the corrupt judges enamored with their rank and subservient to their pampered egos unleashed their wrath and punished me in the most cruel and despicable ways ceaselessly.

My adversaries brought to this Federal court the same dishonest circus that they ran for profit in the state courts for over THREE YEARS, not realizing that this court did not begin its control over my life and my cases with an inherent bias and prejudiced character that has been a plague for the disabled in the state courts. (EXHIBIT 16)

Here now is just one more example of their villainy, to ensure that after receiving a stay of 6 months from a new judge who is uninformed of my history of litigation and sufferance of criminal acts by Messner Reeves and Mandy Brady et al, I again be deprived of accommodation and of my rights, and deprived of the very effect intended by the 6 month stay, and coerced again in a new forum into unequal participation. They succeeded.

And note how they do their criminal acts under the pretense of advocacy and polite request for observance of their "rights". Where are my rights?

What is transpiring here in this court is merely a continuation of the same criminal conduct that has been rained upon me in the state courts. And it demonstrates the susceptibility of the courts EVERYWHERE to the manipulation of adversaries in the face of the most egregious negligence of our system of jurisprudence in implementing Title II of the ADA in a proper and just and OBJECTIVE manner.

In the California courts, these villains have manipulated prejudiced judges, to the point that

inhumanity and total absence of ethics has been publicly on display in those courts. These courts make clear that disabled pro se litigants HAVE NO RIGHTS IN CALIFORNIA COURTS. Simply examine the electronic record of my lawsuits available from the websites of the state courts. I will transfer it all, including my sealed records, in due course. **I hereby incorporate them by reference and ask this court to take judicial notice of them, and PLEASE GO AND LOOK AT THEM.**

The record shows the most despicable and corrupt conduct by judges and courts in California.

And now the agents who provoked and then encouraged the prejudice and corruption of the California courts, take on this Federal court that appears to be uncorrupted, and manipulate it to disobey a United States Law, the ADA. And they have succeeded. And thus begins the slippery slope of disability hate crimes, even when the court is not corrupt.

While courts have neglected and ignored the ADA (Title II) these opportunists rely on the ignorance and unpreparedness of judges and promote darkness and confusion to inflict every harm conceivable upon me in my dilapidated condition that they engineered and promoted.

Every effect and every benefit of the stay that I was promised by this court and granted and RELIED UPON has vaporized as I have had to endure the distress and trauma of yet another injustice, now this writing.

The beneficial psychological and emotional impact of this court's order for a 6 month stay despite the malicious prosecution of these villains after I thought I had entered a safe harbor and I could address the wrongs done to me has all vanished, and injury resulted.

In order to manipulate and prejudice a new judge, these villains offer judge Jeffrey White a verdict of vexation signed by a most prejudiced state court judge who has previously been sued for disability law violations (EXHIBIT 16) and whose improprieties I have documented since 2020 in numerous appellate actions that have been intentionally misrepresented as vexation despite privilege at law to bring them. I thank the pro se advocate of the court for providing me this case information.

This judge has, without the slightest ounce of humanity, invented evidence and maliciously libeled and slandered me and my wife as captured in recordings of my hearings in lieu of a court reporter that he repeatedly refused to provide me under California law (EXHIBIT 23).

My efforts to remove him from the case for his improprieties are captured in part in a writing contemplated over a period of approximately more than one year (EXHIBIT 8), and mostly captured in my multiple requests for disability accommodations which he denied without hesitation and with prejudice and intent to injure me. His dishonesty and falsification of facts and creation of false evidence are all documented. He even entirely ignored the writings of my other doctors, and selectively libeled the best of my doctors, Dr Horvath, of being the singular source of my medical information and untrustworthy. This court has seen how Zela has brought the same fraud perpetrated by this judge, and fueled by him and his comrades to this court. EXHIBIT 1, for example, has never been acknowledged by this corrupt judge.

And EXHIBIT 1 is sufficient on its face to justify the stay demanded for my unique needs and for my SERIOUS ILLNESS.

This unethical and hateful judge was eager to declare me vexatious once before in early 2020 (EXHIBIT 2) for reasons that shall be heard in litigation in due course. This judge was shown to be wrong by my angelic attorney Mr Ray Schumann (EXHIBIT 3), who came to my aid.

Compare this judge's tentative ruling in 2020, and his readiness to pronounce me vexatious, with the pleadings and outcome. The prejudice of the unethical judge was defeated by reason, and by the statement of the obvious, spoken by Mr Schumann when I could not speak and was kept silent by malicious injuries and oppression.

The hateful judge had no choice but to admit to his prejudice in his tentative ruling, and reverse his judgment. He had to admit that I am not vexatious (EXHIBIT 4) and all of the cases falsely cited by my dishonest adversaries are in fact all related to my disability accommodations and therefore privileged, not vexatious.

Nothing had changed with respect to the facts concerning the false claim of vexation since early 2020, when Zela of Messner Reeves opportunistically colluded with this prejudiced judge on a second motion for vexation. All of the cases cited by Zela to paint me as vexatious were related to the failure of disability accommodation. And HE KNEW how the prejudiced judge who had refused to recuse himself despite my repeated efforts, will rule, without hesitation, absent my ability to defend myself.

Thus the dishonest Zela secured another miscarriage of justice and a verdict of vexation, silencing me by order of court and preventing me from filing any other action in any California court.

This court should note that in 2013, this corrupt judge was sued for violations of Title II of the ADA (EXHIBIT 16). He had also pronounced that disabled litigant vexatious. A common pattern?

Let us not forget Zela's other actions to silence me including interference with my fee waivers, as well as with other rights, which we will try in due course.

And now look how at the end of August 2021, after I moved my litigation in 16CV295730 to this court, and objected numerously to the abuse and prejudice of this judge, this judge again falsified facts, invented evidence and deliberately inflicted more trauma upon me in order to stick his long-awaited

charge of vexation upon me in August 2021. When he states that I did not object, he lies, as usual. (EXHIBIT 17). Note also that if you go to the Superior court's portal, this document in EXHIBIT 17 has been censored from public view. This is not the first time that this corrupt judge has censored my speech and contrived and falsified the record.

Review my judicially noticed state court records, and note how in his very own words in the recording of a prior hearing, this judge claims that I am represented, but then in August 2021, he nevertheless declares me to be vexatious.

I have never been vexatious, but a defender of justice, of my rights and repeatedly placed into the role of defender of the rights of the People. Yes, the disabled are People too, and yes the disabled have rights.

I reluctantly come to any court because court action is a failure of civil and cooperative dispute resolution. My history shows that I have never been the aggressor, but have defended my rights and never instigated any unmeritorious action. Yet today, I am maliciously libeled with the most offensive label that I will vigorously dispute, and now required to post a bond and be treated as a problem litigant.

THIS IS THE REALITY OF HOW A DISABLED PRO SE LITIGANT IS MALICIOUSLY LABELD AND TREATED AS INHERENTLY UNTRUSTWORTHY DESPITE OBJECTIVE AND AUTHORITATIVE EVIDENCE AND ABUSED BY COURTS. And I am not the only case.

It was Zela who opportunistically used the very public and unmistakable prejudice of the state courts on public display to revive the opportunity to assist a hateful judge to declare me vexatious after this judge evaded my challenge for cause multiple times (EXHIBIT 8). He now uses this as a tool to assassinate my character and make a new judge undermine my essential and proper disability accommodation.

Once we study Messner Reeves' claims of vexation at trial, it will be clear how every single action that Zela claimed to be a case for vexation is in fact in the same category of just and proper action as identified by my attorney Mr Schumann in the first motion for vexation which Messner Reeves lost. But Mr Schumann was not at my side on this latest occasion when the corrupt judge dealt his latest hateful blow.

So let us not be in any doubt about the manipulation and abuse of law and procedure by these malevolent adversaries, which is now being inflicted in this court.

You are witnessing malicious prosecution in its most pure and deliberate form, from the pen of an attorney who represents how the lack of ethics displays its wares in jurisprudence.

It is very easy, they believe, to make a negative impression and assassinate my character, when I am substantially incapacitated and cannot argue law or precedent.

All they have to do is paint me with what appear to be court orders and court findings, without mentioning the prejudice attendant, and they disadvantage me even more than I already am.

They claim that I can participate because I am writing and writing and writing and writing and writing and writing and writing and writing and writing and writing and writing and writing and writing. After all, they desperately argue, no disabled person who is seriously ill can write like this.

And such is the pitiful quality of their arguments, and their transparent reliance on fraud and character assassination and malicious defamation.

Rules of evidence have not been followed in the California courts in dealing with me. Disabled litigants are not subject to evidence, only accusations, speculations and false facts without proof.

The state courts agree with Messner Reeves and comrades. The People and reason and evidence will not agree.

In order to silence me when I would not relent to injustice, Zela has brought motions to declare me vexatious, eliminate my fee waivers in state courts, ensure the continued elimination of ALL of my rights including disability rights, abundant libel, accusations with no evidence, speculations intended to motivate hatred, and deliberate and calculated interference by abuse of process and taking advantage of the weakness and under-developed procedures of our courts for unjust gain.

Is this starting to seem familiar to this court?

Make no mistake. It is Zela's aim on behalf of my named adversaries that, having deprived me of justice in just lawsuits, he will bury me in a hole so deep, and deliver me into such serious illness and even death that my voice will never be heard and my opposition will be extinguished forever. Contemplate for a moment the burden placed now upon me now to first win my ADA claim, and then to set aside all verdicts in state courts and re-litigate my cases.

And to re-litigate a case 16CV295730 based on the same causes of action once before won conclusively in 2005 against the same recidivist, Mandy Brady.

This court must give no quarter to such manipulation and malicious prosecution and unethical conduct. This court must not be the instrument of injustice and promotion of injuries to a just and unrelenting oppressed litigant.

To demonstrate how the manipulation of Messner Reeves and comrades has worked in this court, ask how did my urgent disability accommodation of complete rest become so imperatively disturbed that I have had to endure distress and elimination of my rest in order to respond to a matter that could easily have waited until my remission and rehabilitation, except for the manipulation and influence of these villains?

As I said before, Zela is the best prosecutor of my claims against Messner Reeves, Terra Law and Mandy Brady et al. His every filing in every court makes the best case for my claims. The evidence is staring at you in plain sight.

And this court is being manipulated to cause further injuries to me and eliminate me entirely from participation in my own lawsuit.

THE SECOND THAT THIS ORDER IS IMPROPER: FAILURE OF COURTS TO OBEY THE LAW

The second reason is that this court does not correctly weigh the inherently substantive and pre-emptive matter of disability law and human consideration of serious illness versus the procedural matter of notice.

While I can see how judge White tries to do what is right by what he understands the law and the rules demand of him, to ask a disabled pro se litigant to participate in any way when he cannot do, is wrong and a matter that cannot be ignored. I have learned from over THREE YEARS of mutilation to object when wrong is done. Of course, I cannot always do so, but in this case I use every ounce of effort to do so. What is at stake is extremely important for the People as well as for the interests of justice, as well as for the sake of my wife and I.

And although this judge appears to have an upright character, unlike his peers in the state courts, there can be no question that this judge has been swayed by the malicious libel from Zela and from the vexatious verdict of the state court judge whose disability hate crimes are not limited to me.

I have been forced to apply for the same disability accommodation to this judge TWICE, not once, by the interference of Zela and comrades. Now, having been provided with the disability accommodation I needed, it has been once again eliminated by Zela and comrades.

I CANNOT SHOW CAUSE AT THIS TIME BECAUSE I CANNOT ACCESS LAW OR PRECEDENT OR FORM LEGAL ARGUMENTS BECAUSE OF MY CURRENT CONDITION, AND I MUST NOT BE ASKED TO DO SO. I AM LIMITED TO EXPRESSING MYSELF USING ONLY NARRATIVE AND REASON, WITHOUT ABILITY TO USE MY COGNITION AND ABILITIES WHICH HAVE BEEN IMPAIRED. FORCED (UNEQUAL) PARTICIPATION UNDER THESE CIRCUMSTANCES ELIMINATES MY RIGHTS AND CAUSES ME INJURIES.

The LAW requires equal participation. The ADA mandates equalization of participation when a disabled party is the pro se litigant.

Absent equal participation, there can be no enactment of procedure when compliance with ANY procedure is inherently obstructed by the disability OR serious illness, and therefore determinative of participation.

All I needed to do was to file my complaint and give notice of transfer to the parties in existing cases to preserve my rights. I did not need to serve the complaint, especially as it requires modification and form. This is because I CANNOT PARTICIPATE.

I object to any disclosure of any of my private medical information at this time.

There is no urgency in Messner Reeves or Mandy Brady et al or Hughmanick and Terra Law to have any of the information that they seek with such trepidation, knowing that their reign of deceit and manipulation is coming to an end.

The balancing of any right to know, which I dispute, versus my welfare and my rights at law and in equity, weighs in favor of me and my disability accommodation. This is basic logic.

I CANNOT RESPOND WITH LAW OR PRECEDENT BECAUSE I AM EXCLUDED FROM ACCESSING THEM DUE TO MY SERIOUS CONDITION AND UNACCOMMODATED DISABILITIES. Basic logic is all that I can offer.

I filed a lawsuit in this court TWICE (CV 19 1986-LKH and 21-cv-04262-JSW) under extreme circumstances, having been rejected by the Federal court once in 2019, and having to go back to the den of inequitable judges and malicious adversaries who all took advantage of my illness and disabilities.

Thus for over three years, I was forced to suffer and be severely injured by California courts before I could seek remedies in this court. The injuries inflicted on me and my wife, and the elimination of ALL of my rights were deliberate and pre-meditated.

Every case was ruled against me and dismissed ALL WITHOUT MY PARTICIPATION. I had to endure enormous trauma and extreme emotional distress on a daily basis for over THREE YEARS to be able to voice my grievance to this court. The endless trauma induced PTSD, which has increased my disabilities and my serious illness.

And look at what this court has now done.

I was only able with limited speech to file a most pitiful complaint and protest the improprieties and crimes of California courts and of my adversaries to stop any statute of limitations. These adversaries include the attorneys for Mandy Brady et al, who ensured that I could not participate in a repeat of the very same litigation that I won in 2005 for the first time (EXHIBIT 18), and which I have had to bring again in 2016 against the same criminal Mandy Brady (16CV295730).

This court ordered that I show cause to prevent the disclosure of my private and confidential information. This requires a legal response. I am incapable of providing a legal response at this time. Zela and his comrades know this fact extremely well. They have been privy to my medical records and disability accommodation supportive documents provided in confidence to the state courts since 2018.

Examine online all of the records in the state courts. I have a law degree, but I am kept from utilizing my basic knowledge due to significant cognitive impairments induced and exacerbated by my adversaries. Look how pitiful my writings became after commencement of my relapse in July 2018. Narrative was all I could muster, without structure and with repetition and anxious detail.

For a brief time, an attorney aided me and we had law and precedent during 2020. But during my serious illness since July 2018, just witness my writings and how inferior they are. This must not be a state of affairs that is imposed on me and I should not be kept out of reach of my innate abilities to litigate.

I have been poisoned and paralyzed in a duel, and the referees have administered the poison to me, poison that was supplied by Zela and his comrades.

EXHIBIT A is a neuro-psychological report that must be filed under seal because it is my private and confidential medical record.

It documents cognitive impairments as of one week after the libelous and fraudulent report of the career expert witness Peter Cassini , M.D., who, unqualified, repeated his fraud that I am perfectly able to participate equally in litigation.

Vassini is the same person who, despite his medical training and his claim that he treats many patients with Multiple Sclerosis, is reported by the attorney who hired him, Matthew Wendt, to have made the outrageous claim that a relapse of Multiple sclerosis does not last more than 4 weeks. Even a medical student who learns about MS knows that a relapse lasts for an undeterminable period of time.

See what a real neurologist has to say about an MS relapse (EXHIBIT 19), the neurologist who ran the Gilenya drug trial in Australia, a drug that is now the only oral medication with high efficacy for prevention of MS relapses, primarily in relapsing remitting cases. **EXHIBIT B must be filed under seal** because it is my private and confidential medical record.

This private and confidential report from Dr Choi shows that what this court is asking of me is beyond my current ability. To be given 15 days to write a legal reply to an order that violates the ADA is inappropriate. To take away my stay and deprive me of complete rest is improper.

I have to resort to extraordinary means to keep this court from being misled and induced into the same savagery against the disabled as is the norm in state courts. This will be made evident at trial. To put me through such an ordeal is unconscionable.

These are the early days of this lawsuit. The inevitable consequence of silence and inability to function to the induction of miscarriages of justice in this court outweigh my ABSOLUTE NEED for rest, and I must speak, even if in such pathetic form.

Fortunately I am encouraged by the moral fiber and uprightness of 2 Federal court judges, including the one presiding in this case. Let me say from experience that these 2 judges are the EXCEPTIONS in jurisprudence, as the filth of California courts documented in my over THREE YEARS of objections and opposition to hate crimes of its judges clearly demonstrates. And when the judges at the very top are unfit to occupy their seats (EXHIBIT 7) and only now, after mutilating me and allowing their lower courts to commit unconscionable hate crimes against me, NOW offer me some form of perverted accommodation after my public demonstration of their impropriety and unfitness as judges (EXHIBIT 7).

Is it proper to ask me to participate when it is beyond my current abilities? And what about equal participation and the very issues of law that my case involves?

To ask me to participate as the court has done is to render judgment on my lawsuit and deprive me of rights. What use are the courts in dispensing any justice when they do not consider or follow the law?

The Americans with Disabilities Act makes no allowance for procedure to pre-empt the substance of law. It is determinative of HOW I must enter the forum to litigate. This precedes any procedure, and this very entry has been denied.

And the law expressed by the ADA is very clear. Accommodate the disabled according to unique need. When my need demands a stop of everything, EVERYTHING, it is a condition precedent to any further order by the court.

The ADA has NEVER been followed by California courts. In my case, the exception occurred accidentally for a period of time before being deliberately violated. The violator, a most corrupt Appeal court judge, summoned me for examination in her courtroom, declared me to warrant accommodation in the form of repeated stays of 120 days at a time without further appearance, and in approximately two months following her ruling, after collusion with the lower court, eliminated ALL of my accommodation thereafter, and even ruled that I am NOT DISABLED, retroactively back-dating her ruling to approximately one year before I had even appeared in the Appeal court pro se. This dishonest judge did this act in perfect timing to provide support to the corrupt judge Manoukian in 16CV295730 to reinforce his hateful denial of my disability accommodation and to pronounce me vexatious. All of these judges knew that I was unrepresented, seriously ill, and unable to defend against their false claims. None of them expect an angel of God, Mr Ray Schumann to appear and thwart their indecency.

It helps when Mr Manoukian has a wife who has an Appeal court judge and who has once denied my action for violation of disability accommodation.

When deliberate observance of the ADA was required, the state courts have always, always, always DELIBERATELY refused to follow it.

Judge Beth Freeman set a bright line in following the ADA and making up for the limitations of access by the disabled to this court. Now, with the malicious prosecution and the criminal defamation that this court witnesses from my adversaries, I anticipate that even she is made to feel concerned and inadequate in her resolve to follow the law. Note that the case over which she presides is entirely unrelated to this case as this court has ruled, yet Zela and his comrades have already poisoned that case to my detriment.

Although judge White has not correctly applied the ADA by terminating my ADA disability accommodation and making his order to show case when I should be left alone to rest and be isolated from all legal proceedings, it is clearly evident from the form of his order that I have reviewed repeatedly with assistance that he is of an upright character unlike the judges of the California courts whose improprieties are documented and inherent to their character. This is why I labor at great expense of hardship and injury to write this response.

I have brought with my case the staggering dishonesty and unethical character of my adversaries to this court. These are documented and not only by me. Therefore I must now protect justice and the mechanics of this court from the contamination of ethics and manipulation of the course of justice through great personal effort.

I ask that judge White protect against being swayed by false pretenses of my adversaries and their unethical and criminal representations and actions, but instead follow the law which requires first my disability accommodation to be implemented and then, upon my remission and rehabilitation to ensure my equal participation by providing the accommodation that is required for my unique needs at that time, and then and only then to demand any participation from me.

There is no urgency for my adversaries who have won everything and more using vile and despicable means, but there is urgency for me.

There is no reason why this order to show cause should not come at a later date when I am able to equally participate.

The court has already heard the very best accusations from my adversaries about my disabilities despite having received disclosure of my request for accommodation in the state courts as recently as April 2021 (EXHIBIT 19). They saw my medical information including the letter from neurologist Dr Mausolf (EXHIBIT 25).

Compare EXHIBIT 1 and EXHIBIT 25 and my request to this court for disability accommodation. Is there an sign of my having received any rest? Any wonder why I continue to be at risk of further serious harm?

Does it appear that the ADA was faithfully obeyed by any of these despicable state courts?

I should not be subjected to more of the same vile and despicable conduct just because this court has had anxiety induced about being misled. This is how I have remained in a state of perpetual illness, decline and watched the inevitable violations of my rights, by false accusations, fraud, innuendo, malicious defamation, malicious prosecution and abuse of process.

It is my adversaries who are vexatious, not me. It is my adversaries who have chosen fraud and malicious prosecution and abandonment of ethics for profit who are to be shunned, not me.

This court has cited cases in its order to show cause. I cannot study or respond to these, and the court obviously believes that they are relevant. Did this court expect me to read these precedents and respond accordingly?

I cannot respond to anything written by my adversaries, or even understand what is going on in good measure because I cannot research or comprehend and apply the applicable laws and precedents or understand the legal relevance of their accusations and fraud. I should not be subjected to such additional disadvantage.

I should not be forced to participate at this time. Responding to an order to show cause is participation.

Absolutely no harm and no prejudice results to my adversaries if the ADA is implemented correctly by this court. However, the ADA provides no right to my adversaries as a matter of balancing of harms. It speaks authoritatively and was enacted because of the inability of courts and parties to respect the

needs of the disabled and prevent their exclusion from due process and from elimination and marginalization of their rights.

No such privilege was enacted into law for any matter advanced by Zela and his comrades.

MEDICAL RECORDS AT ISSUE

It is nothing less than malicious prosecution for Zela and his comrades to accuse me and my doctors of fraud with respect to my medical records and my disabilities. Zela intends to continue his malicious prosecution so that he can continue to deprive me of ALL of my rights.

I am informed that this court believes that I have placed my very private medical information at issue. While this is true to some extent, it is false as a generalization, and a significant stretching and assuming of what is at issue in my complaint.

Privacy rights do not permit such generalizations.

Referring to my sealed submission, which of my illnesses are at issue in my litigation in this court?

The answer is NOT ALL. However, the document that is sealed was not written with this distinction in mind. I have been accustomed to the unlawful disclosure of my private medical information under seal in the state courts despite my incessant objections. To reveal all of my medical information is inappropriate and a violation of my rights. It is only what I put at issue that need be the subject of consideration for disclosure.

To ask me to select which of these illnesses to disclose is to ask me to participate, and that is wrong and unlawful.

To select which of these illnesses to disclose requires thought, and my privacy rights and my disability rights pre-empt procedural notice rights. I say all of this as a reasonable human being using my reason, without access to legal arguments. Is it not reasonable?

And to ask me to disclose any part of the document that I ask to be sealed is to rule that the misguided Vesco precedent of California is Constitutional, because this court will be manipulated to walk the very slippery road to endorse Vesco, which is a flawed and improper precedent, a precedent which I put at issue to this court in my lawsuit CV 19 1986-LKH in 2019, and which is at issue today.

Vesco is an opportunity for the kind of malice and misuse as my case exemplifies. The standard of disability accommodation must eliminate adversarial influence over the rule of objective and authoritative facts. Courts are inherently not operating according to this logical principle.

Title II of the ADA has been neglected for far too long. Over 20 years have passed since it was enacted, and we are here discussing how an adversary should be allowed to gain access and rights to influence what is simply and solely an objective medical determination by authentic doctors in the course of treatment.

Let us also be clear. Not all of my medical information is placed at issue in this lawsuit.

Arguendo consider that if some of my medical information was not placed at issue in this lawsuit, i.e. no medical information was at issue, it is still the role of the court to confidentially and OBJECTIVELY assess my disability information and ensure that I receive disability accommodation, without notice or disclosure to my opponents.

California courts are incapable of such independent and competent conduct. This court must not follow suit.

In California courts, a disabled litigant struggles to find how to access disability accommodation. Eventually, if lucky, these publications will be found (EXHIBIT 5). Today, because of my mutilation and my refusal to relent to the tyranny of California courts, the disabled now are greeted differently, but a leopard does not change its spots, and the judges of these courts are still inherently prejudiced against disabled pro se litigants.

The road to modify our system of jurisprudence to properly integrate disabled rights has only just begun.

Look at the new additions to the court website, an entirely new page (EXHIBIT 28) with now ADA coordinators listed for every California higher court. No ADA Coordinators existed prior to 2021 for these higher courts, and I repeatedly complained about this violation of rule 1.100 of California courts. New policies are also listed. This is an admission by these courts to serious violations of disability rights.

Privacy rights are my rights at law, and my adversaries are not entitled to any information that is protected by my privacy rights.

Until my complaint is established with my equal participation, no right of disclosure pre-empts the right of privacy, especially of medical records whose disclosure is the source of even more embarrassment, humiliation and harm to me, a disabled person who experiences marginalization and societal prejudice even in normal life.

And my complaint has not even been served.

With respect to disclosure of private medical information, and a decision of a court to provide accommodation based thereon, the proper standard is an objective one, not an argumentative one, which Vesco promotes. The court must be competent in the matter of disability accommodation without reliance on any adversary.

My private medical information has been disclosed by the courts under Vesco to these villains over a period of more than three years, up to most recently in April 2021, (EXHIBIT 19) and they are already privy to current medical facts about my disabilities.

What I disclosed in terms of non-medical information to this court in the sealed document was all disclosed to the California Supreme court in even more detail and on the public record. Check those

filings and see for yourself. However, my medical information was provided almost entirely under seal to California courts, and so it should not be in the public record. However, these courts forced me to disclose some of the most private, humiliating, personal, embarrassing information by virtue of their corruption and inherent moral unfitness, and this is actionable and to be addressed in this lawsuit.

Notice that I have felt compelled to do the same in this writing. EXHIBIT 1.

Unless my adversaries show cause that the medical and authoritative information used to secure my disability accommodation is at issue, they have no right or privilege to be granted disclosure of my most private personal information.

Discovery is the point in time when access to medical records is discussed. When objective and authoritative facts are present and the ADA speaks, right must be done without inviting fraud and interference of adversaries, who have established that they are inherently dishonest in their dealings.

It is not sufficient that they accuse and claim falsity of information under seal, but must provide evidence to support their claims. It is not proper for a court to encourage as it has done, investigation of my honesty when objective and authoritative medical records are involved.

You have already seen the best accusations that my adversaries have to offer, after more than THREE YEARS of malicious prosecution and blocking of my access to the courts and deliberate infliction of serious injuries to me and to my wife. I ask this court to note carefully the character of my adversaries and their criminal intent. Do not be fooled by their speech under the guise of right and placement of this court in any dilemma about ethics and faithfulness to law.

This court, like other courts, must learn from my mutilation how the ADA Title II is entirely ignored, disrespected, improperly interpreted and inadequately applied. This court must become the standard setter for the United States in remedying the inexcusable and unconscionable neglect and molestation of the disabled litigant by courts.

The balancing of harm is in my favor. My accommodation must be restored and protected as the first and foremost demand of law. And let us not forget equity.

Read EXHIBIT 1. What would the reasonable person of ordinary sensibility do in this case?

The entire basis of jurisprudence is to motivate the trust and acceptance of the People that justice is being done according to our Constitution and our Articles of Independence. Justice is inherently understood by every human being, it is a quality innate and not learned. The innate in every one of us knows justice and we as the People expect it from our judiciary.

THIS IS NOT HAPPENING.

Instead we are degrading the stature of a nation inspired by high principles and ideals.

The failure of the balancing of harm is demonstrated by over three years of abuse and disability hate crimes of state courts. This court must not succumb to the fraud and manipulation of villainous adversaries for whom measure of ethics is inversely proportional to the measure of dollars of profit.

The balancing of harms exclusively favors me. But the ADA does not care about the balancing of harms, it expects accommodation to be provided to me as a matter of right at law. If that accommodation is a stay, then all procedures and actions come to a halt.

I have never wanted to disclose my medical information to the courts. But the mutilation of courts demanded that I provide my medical information under seal to justify my need for accommodation. Had I known how despicable and corrupt the courts are, would I have ever provided it, except a letter that does not reveal all, like EXHIBIT 1?

I have never given permission to any court to disclose any of my medical information provided in support of my requests for disability accommodation. But the state courts have violated my privacy and done so. This was one of my complaints in CV 19 1986-LKH.

This court must not set the same unlawful precedent as errant and prejudiced state courts have done for over THREE YEARS.

My case illustrates this requirement extremely clearly. My adversaries, knowing that they can eliminate my claims by improper acts, did so, by taking advantage of the knowledge of how to inflict injuries upon me and how to proceed leaving me out of participation, and by fueling the hatred of judges and relying on their prejudice and improprieties.

Not only that, they unhesitatingly seize the opportunity to interrupt or eliminate my accommodation. At this time, I have lost trust in this court, but not irreversibly. This is a source of injuries to me and maintains the anticipation of prejudice and abuse that I have suffered for over THREE YEARS in state courts. My unique needs are undermined by the maintenance of this atmosphere and prospect of improper interpretation and application of the ADA. I have received no disability accommodation at all.

Throughout my litigation, these adversaries were privy to my private medical information provided to them by the courts without my consent or even without my knowledge, and conducted ex parte communications with judges without my consent and without verifiable disclosure to me to achieve their villainous aims (EXHIBIT 20, 27 for example). I have never seen some of these communications and those which have allegedly been copied to me are unverified. This is unlawful and yet the courts conduct business to deliberately eliminate the rights of the disabled (EXHIBIT 21).

To this date, despite my numerous demands, the Appeal Court of the 6th District has not provided me with copies of the ex parte communication between Messner Reeves and comrades and the court that led to the egregious and self-serving fabrication of evidence by that court (EXHIBIT 20).

Messner Reeves and comrades manipulated and used the Vesco precedent, as did the courts, to ensure my injuries and the substantial miscarriage of justice. (EXHIBIT 11). The corrupt California courts, who have no intention of following the ADA, but who now most recently pretend to do so, are more than

willing to embrace the fraud of my adversaries, but this court has shown what an unbiased application of the ADA results in.

Note that in the state courts, I have requested the same accommodation for over THREE YEARS, and not once, not once, has this been provided to me.

I never saw my adversaries ex parte communications with the courts and these were even disclosed to me by one court and then sealed from my eyes (EXHIBIT 20). Only once, when I insisted that their malicious defamation and malicious prosecution be published to the record did the Appeal court disclose one ex parte communication which it solicited despite my objection (EXHIBIT 24).

And on occasions in 2020 when these ex parte communications were urgently mailed to a most corrupt judge, I was copied, but there is no certainty that this was the correct or the compete ex parte communications between my adversaries and the court. However, it can be said that the evidence shows that my adversaries routinely communicated ex parte with California courts, all of them. (EXHIBIT 20 and 11 for example).

Despite my numerous objections and demands for publication of the ex parte communications to the record (EXHIBIT 24 for example), and cessation of these ex parte communications (EXHIBIT 22), California courts entirely ignored me and continued to conduct ex parte communications.

I refer again to my lawsuit CV 19 1986-LKH and the enormous humiliation and embarrassment caused to me by disclosure of my private medical information. And I inform this court that my villainous adversaries used the knowledge from these medical records to engineer my injuries and cause the loss of my just lawsuits, and they continue to do so today.

Their supremely trivial and transparent lies are exposed and they want every advantage to further their malicious defamation and their interference with my accommodation to cause me to become incapacitated from participation forever.

Be assured that their career defense expert witness is advising them of how to distress and traumatize me in order to erode further my health and make it impossible for me to remit and rehabilitate. These are callous and malicious opponents who will spare no means to secure their unjust gains. This court must not be the inadvertent instrument of their crime.

CLOSING REMARKS

My disability accommodation in this court was terminated when the order to show cause was issued. This has been injurious to me.

It must be reinstated on the court's own motion and I must be left alone to have complete rest and isolation from stress.

But of course, Zela and his comrades ensure that I do not get any rest anywhere, including in other cases and in this and other courts. They force me to write and write and stress and stress and be deprived of the essential rest for my needs.

This is premeditated. This court must not simply look at the citations of statutes and rules and accept the malicious defamation of me as true, but must instead take a very critical view of what is being supplied to it.

I am not an equal participant. I should not be asked to participate. An order to show cause asks me to participate.

It is not difficult to pin all kinds of false accusations on an opponent who cannot participate in litigation. And to oppress him to such a degree and extent that every miscarriage of justice is committed in collusion with prejudiced judges who fill the state courts. By malicious prosecution and abuse of process, these villains kept me under constant distress and eliminated all of my rest for over THREE YEARS, leading to unconscionable injuries and permanent harm and despicable miscarriages of justice.

Will this court fall victim to the fraud of these villains and be manipulated into bias, and be used in the same way as state courts, as an instrument to inflict harm on a disabled pro se litigant? Or will this court correct this error and continue to act with propriety and with ethics, in contrast to the state courts for whom ethics means nothing?

The difference between this court and the state courts is that the judges in 19-cv-04392-BLF and 21-cv-04262-JSW do not appear to be biased. Compare their conduct with the electronic records of the 3 state court cases in my complaint, and see with your own eyes the unbelievable and inhuman prejudice of our state courts.

In those courts, the frivolous arguments offered by Zela to this court were endorsed and used as recently as the end of August 2021, less than 2 months ago. I again ask this court to take judicial notice of all of the electronic records in my cases in the state courts (plural).

With its order to show cause, this court has delegated its obligation at law to decide and provide me with disability accommodation under the ADA instead to my adversaries and solicited their input, when it is expected of the court to provide my disability accommodation without violating my privacy rights as a matter of right-at-law based on just and objective standards which are implicit in the formulation of the ADA.

A disability is diagnosed by qualified medical experts based on science and medical knowledge, and not by adversarial process with inherent conflicts of interest attendant. And a judge must not delegate his responsibilities.

The vexatious motion gift wrapped and presented by Zela to a prejudiced state court judge for a second time in 2021 was never decided on its merits and ordered by a malicious and hateful judge who was disqualified long ago (at the start of 2020 – EXHIBIT 8) but refused to recuse himself because of demonstrated past hatred of the disabled (EXHIBIT 16).

Before this second vexatious motion, my lawsuit 16CV295730 had been moved to this court and the move noticed to its parties. This was the minimum that was required of me before being shielded by ADA accommodation. But this has not been the case.

This court has encouraged endless interference with my ADA accommodation.

I am informed that Zela has claimed that Labor Day prevented him from doing something or other. Is Zela asking this court for accommodation? Should he have been ordered to show cause why his demand should be accepted by this court and put me in such a tormented and deprived condition once again?

Is the courtesy and fairness applied to an attorney based on any law enacted by Congress that would pre-empt the ADA?

Was it right for this court to panic upon seeing the verdict of vexation unethically fabricated and attached to me by a malevolent judge, and subject me to this inhumanity?

I am informed that Zela claims that this court has violated his Due Process rights and has been unfair to him and to his clients, Hughmanick and Mandy Brady et al. Where does the ADA stand in this court's regard of Due Process, and fairness?

Why should disclosure of any private medical information be made prior to my ability to equally participate?

Why should disclosure of the same private information be made to Messner Reeves and also to Mandy Brady, and also to Hughmanick and Terra Law, all of whom are separately named parties in my complaint, and whose related causes of action may not have common claims?

Which party has the right to see which of my medical records? The causes of action relating to each one will have a different set of medical facts at issue.

Why should an order to show cause be issued against me when I am in a stay of litigation as a necessary and proper (and only method of) disability accommodation, when procedure is subservient to substantive law, and my ADA accommodation is a matter of right at law and not of procedure?

Where is the urgency that justifies violations of my rights under the ADA to quell the nervousness of this court induced by the malicious prosecution and the malicious defamation of my adversaries?

Why should my rightful and proper disability accommodation be terminated as it has been by this order to show cause when the ADA pre-empts, and due process is unattainable by me?

What of the cost of continued trauma and injuries caused by elimination of rest and the oppressive toil of working on this unfathomable and endlessly growing writing? And of the now induced anxiety of further interference and interruptions of my urgent accommodation yet again by this court?

Why should Brady be served when other parties are named in my lawsuit? Should every party be served? Calvary? Wedgewood who has never been served and whose suit requires prior mediation?

And what about the question of division of the lawsuits that are listed in my complaint into individual suits and their relation and serialization that I explained in my complaint? The Wedgewood lawsuit 18CV335914 was not even served, nor was 18CV337311 nor was 19CV350958.

How is it that this lawsuit has even begun without service? And without even the proper complaint?

On what basis did this court entertain any motion by my adversaries, when ADA pre-empts all matters so far presented?

If my request for accommodation is not an "administrative" matter, and I am being compelled to disclose my private and confidential medical information to my detriment, when did discovery begin?

And what is the relative prejudice to the parties?

In 16CV295730, Messner Reeves and Mandy Brady et al already took my property and dismissed all of my claims and were rewarded for their crimes by unethical and abusive California courts with \$600,000 in attorney fees awarded to them without any basis. Compare how wildly incongruent this outcome is with the outcome of the first lawsuit for the same causes of action against the recidivist Brady where I prevailed, and even expanded the net area of my easements. (EXHIBIT 18). The only difference is that I was not disabled in 2002.

In 18CV337311, representing Terra Law and DD Hughmanick, Messner Reeves dismissed my lawsuit for interference and violations of law by the attorneys representing Mandy Brady et al, including undermining my disability accommodation and causing me injuries, through eliminating my disability accommodation.

In both cases, having improperly and unethically fought unlawful and unethical ex parte lawsuits against me with certainty of dishonesty attendant, and with the court even not revealing their ex parte communications with the court, they colluded with prejudiced judges to traumatize me even more with malicious libel that I am not disabled and that I am vexatious and that I am lying about my financial woes that require waiver of court fees. (EXHIBIT 6).

Whether I would object or whether I would be silent, the outcome from California courts was the same: abuse and prejudice. Silence resulted in granting unjust motions and unethical orders against me for failure to object. Speech resulted in malicious accusations that I am pretending that I am disabled, as a result of which I received abuse and had unjust motions and unethical orders granted against me. Meanwhile, the corrupt and hateful judges watched proof of my incapacity and did nothing to reform their improprieties.

There is a clear and publicly demonstrated hatred for the pro se disabled litigant in California courts.

And these adversaries absolutely expected and relied on the abuse and prejudice of the courts, and fueled their hatred and prejudice to injure and disable me. As one corrupt judge alleged, my lawsuit had gone for over 4 years without a single deposition. How does this happen except that I have been

incapacitated and kept locked out of the court and shut out of participation, and that my injuries have compounded, making it ever harder to recover and to be able to make my way back into the court.

You are now witnessing their tactics.

These villains have ensured that I get absolutely no rest and that I constantly have to deal with more legal shenanigans and manipulations of judges and courts, resulting in more trauma and more injuries.

YOU DO NOT KNOW OR WILL NOT EVEN BE ABLE TO GRASP THE SUFFERING OF ME AND MY FAMILY AS A RESULT OF THESE DISABILITY HATE CRIMES.

THEIR ACTIONS HAVE BEEN DELIBERATE.

The record of my injuries is documented by over 20 physicians and care providers just since the filing of CV 19 1986-LKH, in 2019, when my Medi-Cal insurance was approved. And the record of injuries is clear prior to that time.

If this court wishes me to respond to an order to show cause properly, it must first give me opportunity to come forth as an equal participant. Without this, Due Process does not exist and rules of procedure are not triggered.

The Americans with Disabilities Act proclaims that a disabled person is not an equal participant absent accommodation unique to his/her needs. It is left to the courts to implement it and integrate it into law.

No action required of a disabled litigant who must be accommodated is trivial. Participation is not divisible according to burden of the task in a circumstance such as mine, where immediate rest is the lawful and proper accommodation.

Enormous improvements were made in employment law by incorporation of the ADA, with room for more. But in the realm of access to the courts, and the disabled pro se litigant, for more than 20 years, dust and cobwebs have grown in our courts, and the occasional disabled litigant who has appeared has been the subject of prejudice and abuse and treated entirely with suspicion and prejudice and HATRED under the almost non-existent process of "administrative" action, with the disrespect of being declared an inconvenience to the well-oiled machinery of injustice that our California courts offer to the People.

Now more disabled pro se litigants are coming to our courts. We must protect them from similar injuries to what I have suffered. And I am not the only case.

The moment that a disabled pro se litigant enters a court, he/she is subjected to indignity, undue burden and deprivation of rights, because the ADA cannot be found in the precedents and procedures and processes and customs of the courts.

It is my hope that this court will distinguish itself in our United States before the People in the matter of the just treatment of a disabled pro se litigant that has already caused California courts to only very recently, re-evaluate their disability accommodation processes and outcomes. Judge Freeman made an excellent start, and her example should be followed.

Over 20 years ago the ADA was passed to recognize the inherent inequality of participation by the disabled litigant. This is pre-emptive to other laws that require participation and action, and certainly pre-emptive to procedure. Justice has no eyes for procedure when its desire is to deliver substance and a perfection in outcome resonant with innate justice recognized by the beauty of the 'soul' of every human being.

Objective standards must be determinative of disabilities and their accommodation, not argument and libel and fraud of career expert witnesses and opportunism and interference of adversaries, who uses courts and judges as means of inflicting more injuries and injustice.

This court must not indulge the continuation of the abuse and deprivation of my disability accommodation and accommodation for serious illness at the hands of these crafty and unethical villains. Of course, this court can do nothing to stop their malicious prosecution outside of this court, and be advised that their malicious acts continue elsewhere. The second vexatious motion is one example. The trauma of this action and its inevitable outcome is indescribable.

I have given this court clear notice that this court is being manipulated under the thin veil of "advocacy" and malicious arguments that are misusing and invoking procedure and argument that intend to mislead the court and motivate its wrongful actions, and which bring the stench of the indecency into this court.

Observe how the mere accusations of adversaries have ELIMINATED my disability accommodation.

Conflict of interest and adversarial procedures have no place in dealing with disability accommodations, which must be based on science and authoritative facts. When it comes to disability accommodation, privacy of personal and medical information must be safeguarded. Discovery provides for disclosure as appropriate.

The damages to me from disclosure of my medical information is enormous.

And to have been forced to go a supremely long road to attain justice, now by having to come to this court to get a judgment on ADA violations to then be able to re-litigate my dismissed lawsuits a second time does not give the privilege, irrespective of procedure, for me to disclose once again my most private and protected medical information provided solely for purpose of ADA accommodation. Having to correct the misconduct of judges and adversaries that resulted in one miscarriage of justice should not expose me to violation of my privacy rights until and unless compelled by discovery.

This makes an objective standard the ONLY and imperative standard for disability accommodation. And the privacy of ADA accommodation disclosures to the court separate from any elimination of the privacy privilege when a particular medical data is placed at issue.

To date, there is no procedural provision for disability accommodation in the procedures of the court, which were defined and enhanced WITHOUT THE ADA IN MIND.

The court deals with ADA accommodation as an “administrative” matter instead of having bright lines set in laws and procedure that incorporate the ADA and ensure access to the courts and to the process of jurisprudence by disabled persons like me.

Notice is a step after equalization of participation. When a party is not served but chooses to participate and pre-empts service, that does not compel notice of anything, particularly when the complaint is uncertain in its details.

An adversary must not force the course of litigation when the fundamental issue of who can participate in due process is unresolved or at issue.

My unique needs are that all litigation is stopped pending my recovery and that I am not subjected to any stress. Otherwise, this court will entirely eliminate me from Due Process.

My unique needs are based on objective evidence, and provided by authoritative sources. EXHIBIT 1.

I AM NOT RECEIVING THAT ACCOMMODATION.

The opposite of my unique needs for accommodation is being done to me. I am being put through more trauma and distress by a court that should be a safe harbor from the criminal hatred of state courts and from the dishonesty and interference of adversaries with my rights.

Privacy is a substantive right that must not be stolen from a person who is substantially incapacitated, and must not be stolen from me as a price of not being able to conform to procedural or even substantive rules.

The ADA pre-empts under these circumstances. Procedure is second to substantive law.

Common sense under these circumstances requires boldness to do right. The weak and oppressed must never be asked to pay the price of satisfying the greed and whims of the powerful.

Keep in mind that I have never served this lawsuit, and that is not only because I am incapable of writing the complaint but also because it will cause further injuries to me at this time to participate (unequally) in any litigation. The mere anticipation of distress (in this case, the likely further violations of the ADA by the court) is scientifically shown to be a real psychological issue. But am I given any choice?

I have learned that I must NOT be silent for one moment, despite the abuse of my coerced participation being mis-portrayed by accusations of “demonstrated ability to participate”.

And Zela and his comrades continue to ensure that I am forced not to be silent in order to eliminate all of my rest to recover, and to ensure that I am continually injured and decline, while he engineers my silence through abuse of process, such as elimination of my fee waivers (EXHIBIT 6), false indictments for vexation and financial exclusion through posting of bonds.

At this moment in time, Messner Reeves and Mandy Brady et al and Hughmanick and Terra Law continue to oppress me and manipulate me into speech when I cannot speak, to object to the continued improprieties of California courts.

This is precisely what my villainous adversaries desire, to keep me subject to unequal participation and continuously injure me more and more and keep me incapacitated so that they can say whatever they wish without any effective opposition.

They have tried every method to silence me, including financial interference. Notice how they demand a bond from every court for me, a disabled and seriously ill litigant who lost his income because of Mandy Brady's crimes, and a disabled pro se litigant who is in financial dire straits. EXHIBIT 6.

An order to show cause must wait to a future time when I can participate equally, when I can use law and precedent and form legal argument, and when I can review the sealed document and redact the parts that must be kept private, based on the (or each) complaint, that I believe will need to be broken into more than one related action to be fair to other defendants and parties. And wait for a time when I can read, comprehend and apply law and precedent to be able to speak as an equal participant in my own litigation.

A disabled pro se litigant must not endure the oppression of coercion into participation at a level less than he would be able were his disabilities accommodated under the ADA.

[illegible]

The argument that I can participate because I write pages and pages to defend myself is frivolous and plainly false. A simple analysis of my writing is revealing of this ignorant accusation, and this will be forthcoming in trial.

I have lost the benefit of the accommodation promised to me by this court. I am sicker, and more stressed by forced participation, and much more anxious about how disabled litigants are subject to marginalization and loss of rights. The anticipation of more injuries forthcoming from this court is injurious in its own right.

Judge Freeman has been an exception to the criminal hatred of courts, the shining light for disabled litigants and for the proper administration of the ADA. Today, even her view of my needs has been poisoned by the manipulation and malicious defamation of my adversaries who have expanded their

interference to every court and every one of my cases. They seized the earliest opportunity to deprive me of all of my rights now in another forum, the United States courts.

The seriousness of our situation as disabled pro se litigants is not heeded by our courts, and we are subjected to injuries that must not be permitted. Our laws and procedures and rules of court have been written without the disabled in mind.

Lawsuits must not be won or lost by the unethical tactics and the improprieties that have plagued the life of my wife and I for the past many years.

Justice must be served and publicly seen to be on display. Depriving a seriously ill disabled litigant of a stay and forcing him into unequal participation, and injury, fosters public distrust of the courts. Silencing him by malicious defamation, improper and unethical orders of vexation and bonds and interference with his rights has no place in our courts.

VOLUMINOUS WRITINGS

At trial, we will review why my writings are voluminous and the anxiety and anxious and alert hyper-vigilance that compels me to write so much and then become unable to read and comprehend my own writings. This writing is an example.

This writing began life as 2 pages, but due to the repeated trauma and abusive conditioning of the courts, it grew and grew to this proportion, and is now un-editable and unfathomable by me. I see that the concluding remarks are almost half the length of this document that is now 19 pages ! This is typical of my cognitive impairments induced by the mutilation that I have endured by judges and adversaries and deprivation of ALL rights.

I have learned that if I do not write and try to cover every point that my logic and reason alert me of, then I will surely be violated and molested by the courts even more.

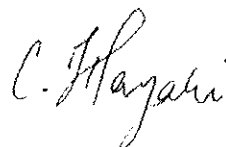
Repetition and redundancy and substantial inferiority of my writings thus become a hallmark of my unequal participation, and evidence of my pitiful condition. No one can prevail in any action, even the most certain and the most just, under these circumstances.

I say this not as an apology, but to insist that the reader tolerate the repetition and volume, and instead read and take time to contemplate what I have written instead of ignoring or glossing over the text.

And remember as you read, that there is a distress attendant to this writing, as an un-accommodated and unequal participant in litigation suffers more injury by virtue of the continuation of the evil that is the failure of disability accommodation in our courts, despite a 20+ year old law that forbids the court from withholding the very accommodation of which I am deprived.

Time will show the truth of what is written on these pages and the consequences to our courts.

Date: October 12, 2021

A handwritten signature in cursive script, appearing to read "C. Hayati". The signature is written in dark ink and is positioned to the right of the date.

Cyrus Hazari

Thanks to my wife, and my psychologist for helping me through this nightmare. Just look at how much work this has been and the number of exhibits. I should not have been put through this ordeal.